

U.S. DEPARTMENT OF ENERGY
COMMISSION ON FIRE SAFETY AND PREPAREDNESS
Meeting Minutes from First Public Meeting
January 11, 2001

INTRODUCTION

As a result of the devastating wildfires that occurred throughout the United States during 2000, Energy Secretary Bill Richardson announced in October 2000 establishment of a Department of Energy fire safety initiative. As part of this initiative, the Secretary created a 16-member independent Commission on Fire Safety and Preparedness consisting of nationally recognized fire safety professionals. In addition, Energy Secretary Richardson called for the an immediate review of the Department's wildland fire safety and emergency management capabilities to be followed by a comprehensive review of fire safety at the Department's facilities. The Secretary also directed the Department to execute a cooperative agreement with the Agriculture Department and the Interior Department in the areas of planning, preparation, prevention, and fire emergency response.

The charter for the Commission on Fire Safety and Preparedness includes providing guidance, advice, information, and recommendations on the readiness of the Department of Energy to mitigate the threat of wildland and facility fires. The Commission will evaluate the nature of the risk of fire and fire loss, protection programs, and emergency response systems and will review the scope and approach of the comprehensive fire safety review to be led by the Department's Office of Environment, Safety and Health. The Commission is established under the Federal Advisory Committee Act (FACA) and reports directly to the Secretary of Energy. It shall also consult with other knowledgeable professionals as deemed necessary and appropriate.

The Commission's First Public Meeting was held from 10:00 a.m. to 4:30 p.m. on Thursday, January 11, 2001 at DOE headquarters, 1000 Independence Ave. SW, Washington, D.C., Room 1E-245. These meeting minutes are intended to summarize the presentations and to capture the highlights from all meeting discussions. A copy of the full transcription of the public meeting may be obtained by contacting Mr. Frank Russo, Designated Federal Officer for the Commission on Fire Safety and Preparedness. Mr. Russo may be reached through the Office of Environment, Safety and Health, Office of Independent Oversight. His telephone number is (301) 903-1845.

LIST OF ATTENDEES

- ? Honorable Bill Richardson, Secretary of Energy
- ? Mr. Stephen Cozen, Chair, Cozen & O'Connor
- ? Dr. John Till, President of Risk Assessment Corporation, Rear Admiral (USN) (Retired)
- ? Ms. Debra McBaugh, Section Head, Environmental, Washington Dept. of Health, Division of Radiation Protection
- ? Ms. Eleanor Towns, Regional Forester, United States Forest Service
- ? Ms. Lorlee Mizell, Director of Benton County Emergency Services
- ? Mr. Gary Briese, Executive Director, International Association of Fire Chiefs
- ? Chief Kenneth Burris, Operating Officer, United States Fire Administration

- ? Mr. Anthony O'Neill, Vice-President, National Fire Protection Association
- ? Mr. Eric Lamar, Assistant to the President, International Association of Fire Fighters
- ? Mr. Daniel Arnold, Vice President Engineering Management, Rolf Jensen & Associates
- ? Ms. Jessie Roberson, Commission Co-Chair and Member of Defense Nuclear Facilities Safety Board
- ? Mr. Jack Snell, Commission Co-Chair and Director, National Institutes of Standards and Technology
- ? Mr. Fred Mowrer (for Kathleen Almand), President, Society of Fire Protection Engineers and
- ? Dr. Ronald Alpert (for Dr. Paul Croce), Senior Specialist, Factory Mutual Research.

The following two Commission members could not be present.

- ? Chief Mike Freeman, Los Angeles County Fire Department and
- ? Dr. Andrea Tuttle, Director, California Department of Forestry and Fire Protection.

The Chair, Mr. Cozen, also recognized the presence of:

- ? Gen. John McBroom, Director of Emergency Operations Center at DOE
- ? Mr. Glenn Podonsky, Director, Office of Independent Oversight & Performance Assurance
- ? Mr. Mike Kilpatrick, Deputy Director, Office of Independent Oversight & Performance Assurance
- ? Mr. Steve Cary, Office of Environment, Safety, and Health
- ? Mr. Frank Russo, Designated Federal Officer, Office of Oversight
- ? Ms. Barbie Harshman, Federal Assistant, Office of Environment, Safety and Health
- ? Mr. Dennis Kubicki, Office of Environment, Safety and Health
- ? Mr. Robert Bass, of Counsel, Cozen & O'Connor, Assistant to Mr. Cozen
- ? Mr. Bill Hamilton, Research Planning, Inc.
- ? Ms. Melinda Watters, Research Planning, Inc. and
- ? Ms. Karen Evans, Research Planning, Inc.

Other persons who were present and provided names on a Public Sign-In sheet before entering the meeting. A detailed list of all attendees will be provided in the official meeting transcript.

SUMMARY OF MEETING

The Honorable Bill Richardson, Secretary of Energy, thanked the Commission members for their service, the extensive amount of knowledge and experience they bring to this important task, and the significance of their mission. The Secretary stated he had spoken with Secretary designate, former Senator Spencer Abraham, who was extremely interested in the Commission's work.

The Chairman, Mr. Cozen, offered opening remarks, which included his review of the "60-Day Initial Joint Review" document, which Commission members were provided prior to the meeting. The *Initial Joint Review of Wildland Fire Safety at DOE Sites*, dated December 2000, was conducted between October 15 and December 15, 2000, by the Offices of Independent Oversight and Performance Assurance (OA), Security and Emergency Operations (SO), and Environment, Safety and Health (EH).

Mr. Cozen remarked at the inconsistency of viewpoints that emerge from this report and from other documents that he reviewed. The inconsistency is reflected in the acceptability of existing DOE standards and policies for fire safety, which is in contrast to critical comments regarding the overall safety posture and limitations in funding, personnel training, and equipment readiness.

Mr. Cozen reiterated his desire to gather the best information available regarding DOE sites and its fire safety programs, procedures, plans, systems, and equipment. Mr. Cozen believed that this was critical from the perspectives of process, analytical rigor, and substantiating key conclusions. Mr. Cozen emphasized the need to gather realistic information and observations that would be provided to the Secretary of Energy and allow the Commission to communicate what steps need to be taken to prevent tragedies at DOE sites. Mr. Cozen indicated that the Commission needs to document significant recommendations, which would enable the Secretary of Energy to ask for resources to avert potential tragedies.

Mr. Frank Russo introduced himself as the Designated Federal Officer under this Commission. He is the point of contact between Commission members and agencies and will facilitate information gathering. Mr. Russo provided an overview of the agenda, including the Public Comment portion of the meeting.

The remainder of the morning was dedicated to DOE presentations to the Commission. These presentations included: an Overview of the DOE Complex; a Briefing on the Initial Joint Review of Wildland Fire Safety; the Proposed Comprehensive Fire Safety Review; and the Status of DOE's Fire Protection Program. A summary of those presentations is provided below.

Mr. Glenn Podonsky, Director, Office of Independent Oversight and Performance Assurance, provided background on the DOE organization. He provided DOE's organizational chart and emphasized how the DOE structure encourages diverse and overlapping activities at each site, a fact that will have to be considered by the Commission. He explained his function and Office of Independent Oversight & Performance Assurance, which produced the "60-Day Initial Joint Review" document.

Initial Joint Review of Wildland Fire Safety at DOE Sites

Mr. Michael Kilpatrick, Deputy Director, Office of Independent Oversight and Performance Assurance debriefed the Commission on the "60-Day Initial Joint Review." A copy of the presentation was provided to all the Commission members. The Commission member's discussions focused on the standards and procedures relevant to DOE sites as well as contractual mechanisms that require implementation of those standards and requirements. The importance of understanding how the sites operate contractually was recognized, as well as the fact that these sites are complex, diverse in nature, and are almost all operated by contractors for the Department. Mr. Richard Stark, Office of Environment, Safety, and Health explained the Department of Energy Acquisition Requirements or DEAR, which are detailed regulations and guidance used by contracting officers in managing onsite contractors who operate DOE sites.

Proposed Comprehensive Safety Review

Mr. Frank Russo presented the Proposed Comprehensive Fire Safety Review. Discussions included the scope of the comprehensive review and the need to focus on all elements of a comprehensive fire protection program. The review is intended to address facility fire safety, the impacts of wildland fires, and the state of emergency preparedness as it relates to the DOE sites, the surrounding communities, and off-site facilities. Review teams will be composed of professionals with extensive knowledge and expertise. Proposed sites to visit include: the Hanford Site, Los Alamos National Laboratory, Strategic Petroleum Reserves, Oak Ridge National Laboratory/Y-12/ETTP, Brookhaven National Laboratory, and Idaho National Engineering and Environmental Laboratory. Some Commission members asked why Rocky Flats Environmental Technology Site was not being considered as part of the review. Mr. Russo stated that part of the Commission's charter is to review the draft review plan and that DOE would certainly consider their input on site selection. Other comments included ensuring that the comprehensive review considered the public and other stakeholder concerns and Mr. Russo committed to incorporate such input as part of the review. Another comment addressed the need to assess the commitment to and culture of fire safety at the facilities being assessed. Mr. Russo explained that these aspects would be addressed when the review teams evaluate the safety management posture at sites and how fire safety is integrated into the overall safety philosophy.

The DOE Fire Protection Program

Mr. Dennis Kubicki a DOE fire safety engineer within the Office of Environment, Safety, and Health, provided a presentation with areas of discussion including statistics regarding previous significant fire losses; post-fire reforms and current status, including the year 2000 focus on wildfire vulnerability; DOE orders, standards, committees, and laws incorporated in the Code of Federal Regulations; industry codes established by the National Fire Protection Association; and interagency agreements on wildland fire management including prescribed burning. It was noted that additional data and attention was needed on fire research, emerging technologies, and emerging threats. It was also recognized there was a multitude of knowledge and experience for everyone to contribute to on the Commission's goals of gathering and analyzing this information, and providing realistic recommendations to the Secretary of Energy.

Federal Advisory Committee Management

Ms. Rachel Samuel, Deputy Advisory Committee Management Officer of the Office of the Executive Secretariat, provided a presentation which included some background information regarding the Federal Advisory Committees and their legal requirements, including the designation of the Designated Federal Officer. She explained Mr. Russo's roles and responsibilities, the requirement to have detailed minutes of the meeting made available via transcript, and the need for full Commission meetings to be open to the public. She also explained that the Commission's role was advisory in nature. She reminded the members to sign and return to Mr. Frank Russo the Ethics and Conflict of Interest statements. Ms. Gloria Sulton of the Office of General Counsel provided a more in-depth review of Standards of Conduct and Ethics, Conflict of Interest requirements, as well as guidelines for Gift Rules and a definition of Lobbying.

The afternoon portion of the public meeting was dedicated to Commission organizational matters. Commission Members discussed further business, including organizational matters. Commission members indicated the need for DOE to provide numerous documents. The Commission recognized learning more about the sites would result from the independent gathering activities, analysis of information, and site visits. They concluded that the formation of Subcommittees was the most effective method to achieve their objectives.

The Commission recommended that Subcommittee functions should include the design of simple, but comprehensive, facility surveys that DOE field offices would complete to aid the Commission in understanding current conditions and areas to examine. Other topics discussed included: up-to-date codes, availability of current funds, necessary fire protection steps to prevent risks, the origin and spreading of knowledge and how to deal with the future, detection, early warning systems, manual systems, cost versus benefit analysis, onsite and offsite emergencies, environmental issues, and emphasizing public communication.

SUBCOMMITTEES

A number of subcommittees were established. These committees and their membership are provided below.

1. Evaluation of Fire Hazards and Risk Assessments
Almand, Arnold, Burris, Croce, Snell
2. Fire Protection Systems and Code Compliance
Almand, Arnold, Croce, O'Neill
3. Emergency Response and Evaluation of Spread & Fire Fighting Risks
Briese, Freeman, Lamar, Mizell, Roberson
4. Nuclear, Environmental, and Wildfire Concerns
McBaugh, Mizell, Till, Towns, Tuttle

Further Commission business included the establishment of work phases for the operation of the Subcommittees. These phases include (1) gathering information, including preparing surveys; (2) conducting on-site visits and evaluations; (3) analyzing information and developing observations; (4) comparing information and observations with the DOE team; and (5) reporting and providing recommendations to the Secretary of Energy. Some additional guidance from the Commission included: considering examining wildfire and facilities/structures; establishing priorities associated with life-saving, property, and all other categories; and ensuring that communication of information flows freely across Subcommittees.

It was suggested that each Subcommittee conduct a conference call within the next 2 weeks, and within 30 days of the conference call, subcommittee members should provide survey questions to the Designated Federal Officer, Mr. Frank Russo.

Hearing no further business, the Chair opened the meeting up to public comment. A public citizen from Frederick, MD, Dennis Kubicki, discussed suggested actions needed by this

Commission addressing the directives of the “60-Day Initial Joint Review” document. After discussions among other Commission members, the Chair stated he would recommend to the Secretary of DOE that all directives and conclusions from the “60-Day Initial Joint Review” should be implemented, unless he heard otherwise within the next 7 days.

ADJOURNMENT

Under the Roberts Rule of Orders, a motion to adjourn was made, seconded, and the First Public Meeting of the Commission on Fire Safety and Preparedness was adjourned at 4:15 p.m. on January 11, 2001.